

**CITY OF DELTONA, FLORIDA
CITY COMMISSION WORKSHOP
TUESDAY, JUNE 8, 2010**

A Workshop of the Deltona City Commission was held on Tuesday, June 8, 2010 at the City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 4:30 p.m. by Mayor Mulder.

2. ROLL CALL:

Mayor	Dennis Mulder	Present
Vice Mayor	Michele McFall-Conte	Absent (Excused)
Commissioner	Michael Carmolingo	Present
Commissioner	Zenaida Denizac	Present
Commissioner	Janet Deyette	Present
Commissioner	Paul Treusch	Present
Commissioner	Herb Zischkau	Present (4:50 p.m.)
City Manager	Faith G. Miller	Present
City Attorney	Gary J. Cooney	Present
City Clerk	Joyce Kent	Present

Also present: Building & Zoning Services Director Cy Butts; Deputy City Manager Dave Denny; Parks & Recreation Director Steve Moore; and Assistant Finance Director Lori Montague.

3. BUSINESS:

Mayor Mulder stated he told Lee Lopez that Item 3-D could be discussed first.

A. Discussion re: additional programming for the City's television station.

Ms. Miller stated staff is looking to expand the programs on DTV to provide more of a variety of programming to the community which are not available in Volusia County. The programs are through the University of Central Florida (UCF) and at no cost to the City. The programs staff is considering would include the Lou Frey Symposiums, Money Talks America, Naturally Central Florida, On the Issues, Global Perspectives and White House Chronicles. Lee Lopez, Community/Public Information Officer, stated all programs are non partisan and are current affair programs.

Commissioner Denizac stated she would not want anything that would take away from the City's own local programming and Mr. Lopez replied this would make the TV station more full service and provides more government information on a State, County and National level.

Mayor Mulder suggested having something running at the bottom of the screen when these types of programs are on that keep the residents informed of City events. Mr. Lopez replied "yes", there are a lot of holes in the program schedule right now so the proposed programs will be seen but,

1 will not affect any current programming.

2
3 Commissioner Carmolingo stated the City needed more than the information that is currently
4 provided as long as it is non-partisan and educational.

5
6 Mr. Lopez stated the current affair programs will give the residents the opportunity to see
7 programs that touch on State and County issues, some other pre-produced programs are more
8 educational or nature driven that would come from the Environmental Protection Agency and the
9 St. Johns River Water Management District that talk about things like water conservation practices
10 and landscape practices, essentially things that are practical informational programming that
11 people can use that will enhance the residential lifestyle of Deltona.

12
13 Commissioner Denizac suggested adding additional information about the programs the City
14 already offers to fill the open spots but, she is willing to compromise if it is the will of the
15 Commission and add some other State and Federal programs.

16
17 Commissioner Treusch stated he felt it was a good idea but, he would like to see more
18 informational programs for the Veterans as to what is going on in the City, County and State as far
19 as the administration, VA facilities and transportation back and forth to those facilities and
20 information for homeless Veterans. He stated with this in mind he would support additional
21 programming.

22
23 **After discussion, the Commission concurred to add additional programming to the City's**
24 **television station.**

25
26 **B. Discussion re: truck weight limitations in residential neighborhoods.**

27
28 Mayor Mulder stated the reason he asked for this item to be on the agenda was to see if there was any
29 interest in making changes to the City's ordinance regarding this issue.

30
31 Mr. Baker stated a resident has requested that the City modify its ordinance to allow the resident to
32 park their work truck in their neighborhood. He stated staff goes by the manufactured gross vehicle
33 weight which is the capacity that the vehicle can carry along with its weight. The resident's truck
34 itself only weighs 6,000 pounds but, has the capacity to carry more weight which puts the truck at
35 12,000 pounds. He stated the way the Ordinance reads is a resident cannot have a vehicle with the
36 manufactured gross vehicle weight of more than 10,000 pounds so the resident is requesting that the
37 City modify its ordinance so that their work vehicle can be parked in their neighborhood. He stated
38 the proposed change would affect vehicles all over the City.

39
40 Commissioner Zischkau arrived at 4:50 p.m.

41
42 Commissioner Carmolingo stated if residents are complaining about the truck being in the
43 neighborhood then the Commission ought to respect the residents and the ordinance because
44 apparently it is affecting people's quality of life.

45
46 Mr. Baker stated staff used to run the tag through the Department of Motor Vehicles (DMV) which
47 reports back the weight of a vehicle and the gross vehicle weight but, what staff found out is that a

1 person can go down to the DMV and change the gross vehicle weight to whatever amount they want
2 and the DMV will accept it. He stated it makes it difficult for staff to enforce because staff has to go
3 back to the manufacturer to look up all the makes and models of the vehicles but, staff cannot simply
4 run the tag like they used to.

5
6 Commissioner Zischkau stated there are residents that drive tractor trailer rigs for a living and as the
7 ordinance presently reads they cannot park the truck cab by itself in their driveway overnight between
8 interstate trips. He stated he thinks the ordinance should be looked at; staff should research to see
9 exactly what it is that the City would be trying to protect the residential neighborhoods from and there
10 should be some added flexibility so the truckers have a place to live here in Deltona.

11
12 Mr. Baker replied what the residents are being protected from is the noise when the trucks are started
13 in the middle of the night; the trucks tear up the road because they are not designed to carry the
14 weight, the quality of life of the citizens, and those types of vehicles weigh more than 10,000 pounds.
15 He stated according to the ordinance the truck has to be under 10 feet in height, under 21 feet in
16 length and less than 10,000 pounds manufactured gross vehicle weight. He stated staff recommends
17 to the residents with trucks over the gross manufactured weight that they park the vehicle in Orange
18 City by the dump which is an industrial area and there is a cost to park there.

19
20 Commissioner Deyette suggested having a place in the City in the future where residents can park
21 these types of vehicles.

22
23 Commissioner Zischkau asked what kind of zoning would be needed in order for someone to have
24 the kind of business mentioned by Commissioner Deyette, an industrial area and Mr. Baker replied he
25 did not know but, would get with the Planning and Zoning Department to find out and let him know.

26
27 **After discussion, the Commission concurred not to modify the ordinance.**

28
29 **C. Commission discussion re: Mayor Mulder's earlier proposal.**

30
31 Mayor Mulder stated no action was taken on his earlier proposal and stated the two (2) ideas he
32 had proposed were to give anyone who owned property in the City, excluding renters, \$250 on a
33 first come first serve basis which is half the property owners in the City or to take the number of
34 properties in the City and divide that number by the \$3.5 million which would give approximately
35 \$100 to every property owner. He stated the item is on the agenda today to hear any other ideas
36 the Commission had for the \$3.5 million.

37
38 Mayor Mulder read an email from Vice Mayor McFall-Conte regarding her ideas for the money
39 which included putting half the money aside for economic development incentives and recruitment
40 and the other half to be put toward continued road construction on Ft. Smith Blvd. if it could move
41 the project forward.

42
43 Commissioner Carmolingo stated he was in favor of giving back \$250 to each property owner
44 because for some people that money could make the difference in having food, paying a bill and it
45 would be a good thing for the economy. He stated since the City Commission Meeting he has
46 received some financial projections for the budget and it seems as if the City is falling under the
47 amount needed to match the \$12 million which is the City's operating quota. He stated he cannot

1 see giving the money away now and going back to roll back. He stated the money should go
2 towards the taxes for next year and if anything is left over maybe give the employees some kind of
3 a raise.

4
5 Mayor Mulder stated the City collected the same amount of taxes as it did the year before and
6 everyone needs to understand that the plan is getting to roll back or better.

7
8 Ms. Miller stated the current millage of 5.43 brings in a little over \$12,100,000, the City was
9 expecting a 15 - 16% decline in the property tax values, the preliminary tax roll represents a
10 20.5% decline which equates to a roll back millage of 6.8 to bring in the same amount of money.
11 If the City stayed with the current millage it would lose \$2.4 million in tax revenue, and to take it
12 from the Fund Balance and make up the difference each year if the City kept at the current millage
13 it would affect the City every year going forward. She stated she has asked the departments to
14 come in 10% lower than last year with their budget, staff is trying to be as efficient as possible and
15 staff was already considering a 16% decline in property tax revenue but, the additional decline will
16 be hard to make up.

17
18 Commissioner Denizac asked where the \$3.5 million came from and Ms. Miller replied out of the
19 Comprehensive Annual Financial Report (CAFR) document which showed \$1.5 million in savings
20 as a result of decreased expenditures as a result of not filling positions from fiscal year 2008/2009
21 which is part of the Fund Balance. Another \$1 million as projected savings in expenditures this
22 fiscal year and the City is running approximately \$800,000 less than projected for payroll by
23 attrition and not filling vacant positions and a couple hundred thousand dollars less than what staff
24 anticipates for overall expenditures. The other \$1 million to make up the total \$3.5 million is the
25 increase in the revenues, staff was very conservative in its estimates and most of the increase is
26 applicable to utility tax and franchise fees and staff is thinking it is from the long cold snaps that
27 the City experienced during the winter months.

28
29 Commissioner Denizac stated she is concerned that by not filling positions, levels of services have
30 been cut and she would much rather provide the quality of services back to the residents. She
31 suggested if four (4) code enforcement officers were cut from the budget add two (2) back into the
32 budget, if there is a need for more personnel in the fire department then look at that and see what
33 can be done and use the money to meet those deficiencies.

34
35 Commissioner Treusch stated he is concerned because he does not know how much more staff can
36 be cut without affecting services. He stated ever since he has been in office departments have
37 been asked to cut their budgets, there is no training for employees, positions are not being filled
38 and he is surprised that staff keeps finding ways to cut the budget and it is a good effort but, at
39 some point services will be affected.

40
41 Commissioner Deyette spoke regarding some of the suggestions by the residents. She stated the
42 City should not be giving away the money because she believes in not giving away surplus. She
43 stated that some roads are still in need of fixing, street lights are needed and even though the
44 money and the idea of giving away \$250 is a non-recurring expense the money was acquired by
45 cutting recurring expenses. She stated she liked Vice Mayor McFall-Conte's suggestion of putting
46 half the money toward economic development incentives or something to attract businesses to the
47 City because that could change the tax revenue situation.

1
2 Commissioner Denizac agreed with Commissioner Deyette that economic development should be
3 the #1 goal for the City and if an economic development department is created it would be a
4 recurring expenditure but, it is needed along with other infrastructure projects. She asked if there
5 was any way to reduce the amount of taxes that is collected on franchise fees or utility taxes and
6 Ms. Miller replied the Commission could lower the rate which has been the same rate since
7 incorporation and is up to 10% but, she does not know that staff would ever recommend it.

8
9 Commissioner Carmolingo stated his main objection was if the City was only going to collect \$9.5
10 million in taxes, take \$2.5 million from the fund balance which gives the City the \$12 million to
11 match the budget so taxes do not have to be raised and the City does not have to go to the roll back
12 so at least for one year everyone would get some tax relief. Commissioner Deyette and
13 Commissioner Denizac agreed.

14
15 Mayor Mulder stated if the millage rate stays the same as today the problem is the unknown and if
16 things go badly or even a percentage or two (2) worse the millage rate can only go up 3% a year.

17
18 Commissioner Deyette stated what Commissioner Carmolingo suggested was exactly what she
19 suggested at the last City Commission Meeting and Mr. Clinger stated the City will lose these
20 millions of dollars every year for however many years but, she would support that suggestion.

21
22 Ms. Miller stated if the City keeps the same millage rate it will be resetting the bar for every year
23 going forward and it is not a one year impact but, a multi-year impact.

24
25 Mayor Mulder stated to take roll back minus the \$3.5 million plus whatever the City Manager can
26 find in additional cuts and then set the millage rate based on that. Commissioner Denizac
27 suggested keeping the City's current millage rate.

28
29 Commissioner Zischkau agreed with what was proposed by Commissioner Deyette,
30 Commissioner Denizac and Commissioner Carmolingo but, he would decrease the millage rate
31 rather than leaving it the same as it is currently.

32
33 Commissioner Treusch stated he is not comfortable with what has been proposed.

34
35 Ms. Miller stated she would like time to sit down with the Finance Department to see how this can
36 be done but, if she is understanding the Commission right it is talking about keeping the current
37 millage rate or better keeping in mind that this is the third year in a row that the roll back rate is
38 higher than the millage. She stated her concern is what will happen if the City is not successful in
39 economic development or if there is another decline in property values.

40
41 Mayor Mulder asked Ms. Miller to distribute a calendar of tentative dates when millage rate
42 adoptions take place via email.

43
44 Ms. Miller stated keeping the current millage with no change in level of service is going to be
45 difficult and she would like Captain Brannon to do a presentation regarding law enforcement
46 staffing in the future.

47

1 After discussion, the Commission concurred to take roll back minus the \$3.5 million plus
2 whatever the City Manager can find in additional cuts and then set the millage rate based on
3 that.

4
5 **D. Presentation re: proposed site development of an 122-acre site owned by the City and**
6 **currently zoned for public use. The site would be a multi-use park which would incorporate a**
7 **stormwater pond; and reuse water rapid infiltration basins.**
8

9 Mr. Denny gave a brief explanation of the water levels for Lake Dupont, Lake Gleason and Trout
10 Lake which all read below the staff gage. Tivoli Lake's water level is six (6) tenths of an inch
11 lower and is still on the staff gage. He stated staff reads the lake levels all the time and have
12 talked to the St. Johns Water Management District about an aggressive pump down procedure if
13 necessary. Staff is meeting with the water management district next week to firm up the plans that
14 the City has for moving forward and trying to maintain the lakes before they get out of hand.

15
16 Mr. Denny stated the City is getting a lot closer to starting the eastern waste water treatment plant
17 east of S.R. 415 and with that plan the City is going to need effluent disposal and reclaimed water
18 sites to get rid of the treated product that goes through the plant. He stated staff has looked at
19 many sites throughout the City and the City will need to purchase some land so the staff is trying
20 to do a two (2) prong approach. He stated there will be a conceptual plan presented and staff is
21 looking for some feedback and direction whether the Commission wants staff to continue to work
22 toward this goal but, over behind Discovery Elementary just west of Normandy Blvd. there is a
23 122 acre site that the City owns and has been referred to as the 122 acre park site. He stated there
24 is a need for additional ball fields and other facilities so staff has looked at this property for a
25 Rapid Infiltration Basin (RIB) site and a park site.

26
27 Brian Stahl, with Baskerville-Donovan, Inc. gave a brief presentation regarding the City of
28 Deltona Eastern Water Reclamation Facility (WRF) that included some background information;
29 the purpose of the presentation, effluent disposal evaluation, the projects reclaimed water system
30 sites, the project park and RIB site concept Phase 1, 2 and 3 and the benefits of the park-rib site to
31 the City.

32
33 Commissioner Treusch asked how much the project would cost and Mr. Stahl replied Phase 1
34 would cost \$4.5 million, Phase 2 costs \$4.5 million and Phase 3 costs \$6.5 million. Mr. Denny
35 stated Phase 1 or anything having to do with the RIB would be funded by the Enterprise Fund.

36
37 Commissioner Denizac stated she has a hard time with Phase 3 where the City might be putting
38 money into a park when other parks throughout the City are in dire need of improvements.

39
40 Commissioner Carmolingo stated District 6 does not have any parks and he thinks this project is a
41 good idea. He stated there is funding to take care of at least Phase 1 and it would move the City
42 forward.

43
44 Commissioner Deyette stated she likes the project especially if the City could get revenue from the
45 reused water. Mr. Denny replied right now most everyone irrigates their lawns with potable water.
46 If there is reuse water available to supplement the potable water when it comes time to build an
47 alternative water source the less amount of water supply the City needs to build.

Commissioner Zischkau stated the City definitely needs a project like this and needs reuse but, he does not agree to put it on the most valuable piece of land left in Deltona and he gave an explanation why. He suggested that the project be built to the east of Deltona around Doyle Road in Osteen and near S.R. 415. He recommended finding a way to use the 122 acres for economic development for office complexes, commercial complexes, restaurants, etc. and make it something better because the City controls it.

Mayor Mulder stated he likes the idea that it is a big open track and Mr. Denny stated what the City needs to build can be built anywhere. He stated he is concerned that there is no major transportation thoroughfare that would bring people into the site and the site was purchased with the idea that there would be some type of sports complex on it. He stated the project is a perfect fit especially the water piece of the project has been designed with things like walking trails because it is consistent with the neighborhood around it.

After discussion, the Commission concurred to authorize Mr. Denny to move forward with the project.

E. Discussion re: The Social Services Center.

Ms. Miller stated currently in the Social Services Center is the Department of Children and Families (DCF) who leases space for \$896 per month and their lease expires November 14, 2010; the United Cerebral Palsy (UCP) leases space for \$51 per month and their lease expires October 31, 2010; and there is 1100 square feet open in the facility. She stated the City spent close to \$748,000 to renovate the building back in 2007/2008 and it was opened with the idea it would be filled with social service agencies which has not come to fruition as hoped. She stated there was a suggestion made to move the Volusia County Sheriff's Office (VCSO) back into the facility. The City pays \$78,000 annually for rent where the VCSO is currently located on Deltona Blvd. and approximately \$19,000 a year in utilities. The lease expires October 30, 2011 and the City would still need to pay the rent if nothing else can be negotiated with the landlord.

Mayor Mulder asked if Captain Brannon wanted to move back into the building and Ms. Miller replied "yes" but, that she had some concerns and she explained those concerns. Mayor Mulder stated the only concern he had is the serious parking concerns and Ms. Miller replied some possibilities are to purchase the home behind the alley that is in foreclosure which staff could look into purchasing through the Neighborhood Stabilization Program (NSP) and use it as parking or there is another house on the other side of the fire station which may be available.

Commissioner Carmolingo stated the City should utilize the building and he likes the idea of putting VCSO back into the building.

Commissioner Denizac asked if parking was an issue before and Captain Brannon replied along the alley way there was parallel parking on the right-of-way but, it is his understanding that the Fire Department had a concern that there were times the fire trucks had difficulty getting through the alley but, he could only recall one specific instance of that. He stated he is not aware of any significant reason why parking would prevent the VCSO from moving back to that location.

Commissioner Treusch stated the VCSO's current location has a lot of technical equipment like generators and it is going to be an expense to have these things moved. Ms. Miller replied she is hoping the County will help with some of those expenses. She stated she would let the Commission know what the cost would be to bring the VCSO back into the building.

After discussion, the Commission decided to take back the social services building and to have the Volusia County Sheriff's Office move back into the building.

4. PUBLIC COMMENTS – Citizen comments limited to items on the agenda.

Robert Desmond, provided the following suggestions for the \$3.5 million: keep the money in the bank, pay off the amphitheatre debt, pay down the water bill or purchase vacant homes and lots for future road widening.

Susan Armond, thanked the City Commission for not jumping to any rash decision regarding the \$3.5 million and she suggested using the money for economic development. She expressed her concern regarding the lake levels in her neighborhood because of lack of drainage and she asked the City Commission to look into the issue with her lake.

Miguel, resident, spoke regarding the need for street lights on the corners of City streets.

A resident spoke regarding keeping the \$3.5 million for an emergency or to buy property unless the money can be provided to every resident.

Jennifer Andrews, spoke regarding how she appreciated the deliberations because as a citizen she would hate to have the \$3.5 million used rashly or inequitably and she expressed her concerns regarding using the money to cover projected budget shortfalls or the millage rate.

5. CITY COMMISSION COMMENTS:

a) Commissioner Denizac stated she would like to make an observation and maybe a suggestion. She stated it seemed to her when the Commission has this type of informal setting it functions very well, everyone gets along very well, everyone is cordial and respectful and the cameras are still rolling so nobody can say that the Commissioners are showing off for the cameras. She stated she was daydreaming for awhile, looking at the dais which is beautiful but, for some reason it does not work and the Commission is disconnected. She stated the discussions today could have been controversial or high spirited and the Commission managed to get through the meeting in a very professional way. She suggested to have the next Regular City Commission Meeting in the informal setup and to move the podium and the residents closer to the Commission or to make some kind of modification to the dais.

b) Commissioner Carmolingo stated what really disturbs him at Commission meetings is when staff comes up to the podium to provide information and they are treated like they are in a courtroom and not with the respect they deserve. He stated he does not think they should be treated differently because the answers are not what the Commission wants to hear. He stated self respect and mutual respect should happen during meetings, department heads included. He stated a lot of the questions asked of staff can be asked before the meetings. He stated staff's doors are

1 always open and the Commission can get whatever answers they need before the meeting instead
2 of spending 15 minutes or a half hour asking questions at a Commission Meeting.

3
4 Commissioner Denizac agreed but, that respect should come from all angles. She stated the
5 Commission ought to treat its citizens with respect and she expects to be treated, as an elected
6 official, with respect. She stated the Commission needs to treat staff with respect but, on the
7 other hand staff needs to respect the Commission and not change their answers when they are in a
8 Commission meeting. She stated she has requested information, received the answer before the
9 meeting and then at the meeting received a different answer. She stated she has had the
10 experience of having staff members who have either changed their attitude or their tone or their
11 answers so yes, she thinks it is all about respect. She stated everyone needs to be respectful of
12 each other in every facet and every area because we are not here for personalities; we are here to
13 do the best job possible for the tax payers and the residents.

14
15 Mayor Mulder asked if anyone objected to the Commission sitting down on the floor in front of
16 the dais for the next Regular City Commission Meeting and there was no objection.

17
18 Commissioner Zischkau stated he agreed with Mayor Mulder that it is more a function of how
19 controversial the subject is and what the division and level of disagreement is than where the
20 Commission is sitting but, he is willing to go along with the experiment.

21
22 **6. ADJOURNMENT:**

23
24 There being no further business, the meeting adjourned at 6:55 p.m.

25
26
27
28
29 **ATTEST:**

Dennis Mulder, MAYOR

30
31
32 _____
33 **Joyce Kent, CMC, CITY CLERK**
34